

**NOTICE – This is provided for public information only. This document is not an approved set of minutes, only a staff summary of actions taken. The approved minutes will contain the official action taken.**



**NOTICE OF A REGULAR MEETING OF THE COMMON COUNCIL  
OF THE TOWN OF CLARKDALE**

**Tuesday, November 12, 2019 at 6:00 P.M.  
Clark Memorial Clubhouse, Men's Lounge**

PURSUANT TO A.R.S. §38-431.02, NOTICE IS HEREBY GIVEN to the members of the Common Council of the Town of Clarkdale and to the general public that the Town of Clarkdale Common Council will hold a Regular Meeting open to the public on **Tuesday, November 12, 2019, at 6:00 p.m.** in the **Clark Memorial Clubhouse, Men's Lounge, 19 N. Ninth Street, Clarkdale, Arizona.** Members of the Clarkdale Common Council will attend either in person or by telephone, video or internet conferencing. Pursuant to A.R.S. §38-431.03, the Council may vote to recess the meeting and move into Executive Session on any item, which will be held immediately after the vote and will not be open to the public. Upon completion of Executive Session, the Council may resume the meeting, open to the public, to address the remaining items on the agenda.

Supporting documentation and staff reports furnished to the Council with this agenda are available for review on the Town website at [www.clarkdale.az.gov](http://www.clarkdale.az.gov) and the Town Clerk's Office.

The undersigned hereby certifies that a copy of this notice was duly posted on the Community Development Building bulletin board, located at 890 Main Street, Clarkdale, Arizona on November 6, 2019 at 1:00 p.m.

*Mary Ellen Dunn*  
MARY ELLEN DUNN  
TOWN CLERK

*As a reminder, if you are carrying a cell phone, electronic pager, computer, two-way radio, or other sound device, we ask that you turn it off at this time to minimize disruption to this meeting.*

**ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR DISCUSSION AND POSSIBLE ACTION, UNLESS OTHERWISE NOTED.**

**CALL TO ORDER – Meeting was called to order at 6:00 P.M. by Mayor Von Gausig.**

Town Council:

Mayor Doug Von Gausig  
Vice Mayor Richard Dehnert  
Councilmember Debbie Hunseder

Councilmember Bill Regner  
Councilmember Scott Buckley

Town Staff:

Town Manager Tracie Hlavinka  
Utilities/Public Works Director Maher Hazine

Police Chief Randy Taylor  
Building Inspector Paul Grasso  
Interim Planner Ruth Mayday  
Town Clerk Mary Ellen Dunn

**PUBLIC COMMENT** – The Town Council invites the public to provide comments at this time. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date. Persons interested in making a comment on a specific agenda item are asked to complete a brief form and submit it to the Town Clerk during the meeting. Each speaker is asked to limit his or her comments to five minutes.

**There was no public comment.**

**CONSENT AGENDA** - The consent agenda portion of the agenda is a means of expediting routine matters that must be acted on by the Council. All items are approved with one motion. Any items may be removed for discussion at the request of any Council Member.

- A. Approval of Minutes of the Common Council** - Approval of the minutes of the Special Meeting October 22, 2019.
- B. Claims** - List of specific expenditures made by the Town during the previous month. October, 2019 check log and PPE dated September 28, October 2, 12 and 26, 2019.
- C. Board and Commission Minutes** – Acknowledgement of receipt of minutes and draft minutes of the previous month's Board and Commission Meetings.  
Design Review Board:
  - i. Notice of Cancellation of meeting October 2, 2019
  - ii. Minutes of the meeting held October 14, 2019
  - iii. Minutes of the meeting held October 21, 2019Planning Commission Notice of Cancellation of meeting October 15, 2019  
Parks and Recreation Commission:
  - i. Notice of Cancellation of meeting October 9, 2019
  - ii. Minutes of the meeting held October 17, 2019
- D. Request for Extension of the Financial Assurance Time Period for Wildhorse Acres Estates, A Minor Subdivision** – Approval of a request for extension of the financial assurance time requirement for Wildhorse Acres Estates, minor subdivision.

**Action: Approve Consent Agenda items A – D as presented.**

**Motion: Vice Mayor Dehnert**

**Second: Councilmember Buckley**

**Vote:**

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

**NEW BUSINESS** (Mayor Von Gausig re-ordered agenda items)

**CLARKDALE MAGISTRATE COURT UPDATE** - An update to discuss the administration and operations of the Clarkdale Magistrate Court.

**Action: This is a presentation only. No Council action is required.**

**LIQUOR LICENSE APPLICATION** – Discussion and consideration of a recommendation to the Arizona Department of Liquor License, for a Series 3 In-State Microbrewery application from Craig and Rebecca Backus for *Smelter Town Brewery* located at 921 Main Street, Clarkdale, AZ.

**Action: Approve a recommendation to the State Department of Liquor License and Control to approve the Series 3 Liquor License for Craig and Rebecca Backus for the *Smelter Town Brewery* located at 921 Main Street, Clarkdale, AZ with stipulations:**

- **Amend outside seating area from 7’ by 10’ to no more than 5’ deep by 10’ long to allow for ADA access; and**
- **designate and mark access from the front door to the outdoor seating area. The outdoor seating area needs to be revised to remove the gates from the side and place a single gate at the front to meet liquor license department requirements.**

**Motion: Councilmember Buckley**

**Second: Councilmember Hunseder**

**Vote:**

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

**WORK SESSION REGARDING CHAPTER 7 BUILDING CODE OF THE CLARKDALE TOWN CODE** – A work session to discuss the update from the 2012 International Code Council (ICC) building codes, and from 2011 National Electrical Code (NEC) to the 2018 ICC codes and the 2017 NEC.

**Action: This is a work session and no Council action is required, however staff is requesting Council direction regarding the updates to the Chapter 7, Building Codes of Town Code relating to the adoption of 2018 International Code Council building codes and the 2017 National Electrical Code.**

**A RESOLUTION OF THE MAYOR AND THE TOWN COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE TOWN CLERK AND ENTITLED “BUILDING CODE”** – Discussion and consideration of Resolution #1615, declaring as a public record Chapter 7 of the Clarkdale Town Code entitled “Building Code”.

**Action: Approval of Resolution #1615, A RESOLUTION OF THE MAYOR AND THE TOWN COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE TOWN CLERK AND ENTITLED: “BUILDING CODE” with the following change from the worksession:**

**In Section 7.2.1(D) Original wording will be retained to say “Accessory structures 50 sq. ft. or more require a building permit. Accessory structures less than 50 sq. ft. do not require a building permit, but the location of the structure shall be approved by the Community Development Department prior to construction”.**

**Motion: Councilmember Buckley**

**Second: Councilmember Regner**

**Vote:**

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

**AN ORDINANCE OF THE TOWN OF CLARKDALE, ARIZONA, MAKING CHANGES TO THE TOWN CODE BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED “BUILDING CODE”, REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY** – Discussion and consideration of Ordinance #401, an ordinance adopting by reference Chapter 7 of the Clarkdale Town Code entitled “Building Code”.

**Action: Approve the Ordinance #401, an ordinance making changes to the Town Code by adopting by reference that certain document entitled the “Building Code”; repealing conflicting ordinances; and providing for severability.**

**Motion: Councilmember Regner**

**Second: Councilmember Buckley**

**Vote:**

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

**WORK SESSION REGARDING CHAPTER 11 OF THE TOWN OF CLARKDALE ZONING CODE** - Discussion of possible amendments to Chapter 11 Design Review and Site Plan Review; Section 11-090 Purpose and Applicability for Site Plan Review.

**Action: This is a work session only. No Council action is required.**

**OPIOID LITIGATION** – Discussion and possible action regarding option of Town of Clarkdale participation in a Multi-District Litigation (MDL) “Negotiation Class” during opioid litigation discussions.

**Action: Approval of participation in the Multi-District Litigation Negotiation Class.**

**Motion: Vice Mayor Dehnert**

**Second: Councilmember Regner**

**Vote:**

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye

Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

**VERDE RIVER INSTITUTE REPORT** - An update from the Verde River Institute on projects and issues that relate to the Verde River @ Clarkdale.

**Action: This is a monthly, or as-needed, report and no Council action is required.**

**FUTURE AGENDA ITEMS** - Listing of items to be placed on a future council agenda.

**ADJOURNMENT – Without objection, Mayor Von Gausig adjourned the meeting 8:09 P.M.**

Persons with a disability may request reasonable accommodations by contacting the Town Hall at 639-2400 (TTY: 1-800-367-8939) at least 72 hours in advance of the meeting.